

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UMAR ALLI,

Plaintiff,

-against-

SECURITY OFFICER PEDLAR, ET AL.,

Defendants.

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: MAR 06 2015

14-cv-10257 (RA)

ORDER OF SERVICE

RONNIE ABRAMS, United States District Judge:

Plaintiff, proceeding *pro se*, is currently incarcerated at the Clinton Correctional Facility. Plaintiff's complaint, for which he paid a filing fee, alleges that in February 2012, staff at the George R. Vierno Center ("G.R.V.C.") on Rikers Island physically and sexually assaulted him and denied him medical treatment and disciplinary due process. Named as Defendants are Department of Correction ("DOC") Security Officers Pedlar, Bravo, Almazar, and Buntton; Security Captain Beharri; Correction Officers Spears, Rohr, Fluker, and Wong; the City of New York; and current and former DOC employees Rose Agro, Kathleen Mulvey, Dora Schriro, Florence Finkle, and Lewis Finkelman (collectively, the "DOC Defendants"). Plaintiff also names as Defendants Board of Correction ("BOC") members Hildy J. Simmons, Michael J. Regan, Cathy Potler, Richard T. Wolf, and Kenneth T. Armstead (collectively, the "BOC Defendants"). Plaintiff also names fourteen Doe defendants (collectively, the "Doe Defendants").

**A. Service on the BOC Defendants**

The Clerk of Court is requested to issue a summons as to each of the BOC Defendants. Plaintiff is directed to serve the summons and complaint on these Defendants within 120 days of the issuance of the summons. If within 120 days of the issuance of these summons Plaintiff has not made service or requested an extension of time in which to do so, under Rules 4(m) and 41(b)

of the Federal Rules of Civil Procedure, the Court may dismiss this action for failure to prosecute. Plaintiff is also reminded that it is his obligation to promptly submit a written notification to the Court if Plaintiff's address changes, and that the Court may dismiss the action if Plaintiff fails to do so.

**B. Service on the DOC Defendants**

The Clerk of Court is directed to notify the New York City Department of Correction and the Corporation Counsel for the City of New York ("Corporation Counsel") of this order. The Court requests that service of summons is waived as to: Security Officers Pedlar, Bravo, Almazar, and Buntton; Security Captain Beharri; Correction Officers Spears, Rohr, Fluker, and Wong; the City of New York; and current former DOC officials Rose Agro, Kathleen Mulvey, Dora Schriro, Florence Finkle, and Lewis Finkelman

In addition, Local Civil Rule 33.2, which requires defendants in certain types of prisoner cases to respond to standard discovery requests, applies to this action. The standard discovery requests are available on the Court's website under "Forms" and are titled "Plaintiff's Local Civil Rule 33.2 Interrogatories and Requests for Production of Documents." Within 120 days of the date of this order, Defendants must serve responses to these standard discovery requests unless the Court orders otherwise, upon good cause shown.

**C. Identification of the Doe Defendants**


A pro se litigant is entitled to the district court's assistance in identifying an unknown defendant. Valentin v. Dinkins, 121 F.3d 72, 76 (2d Cir. 1997). "The district court may pursue any course that it deems appropriate to a further inquiry into the identity" of an unknown defendant, including "enlist[ing] the assistance of the City." Id. Here, Plaintiff is unable to identify

fourteen Defendants by name. The Court finds, however, that the information in Plaintiff's complaint is sufficient to allow Corporation Counsel to identify at least some of these Defendants.

Accordingly, Corporation Counsel shall provide this information, to the extent available to them, to Plaintiff and the Court within sixty (60) days of this Order. At that time, the Court will issue a further service order, as is necessary. The Clerk of Court is requested to serve a copy of this Order and Plaintiff's complaint (Dkt. 1), on Corporation Counsel at 100 Church Street, New York, NY 10007.

SO ORDERED.

Dated: March 6, 2015  
New York, New York



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RONNIE ABRAMS  
United States District Judge